[Mr. P. S. Marutanayakam Pillai.]

My lawyer friends know that a difficulty has arisen in the case of Criminal Procedure Code as to what is the authority to whom the appeal shall lie. Hence this amendment, *i. e.*, to insert "under this Regulation" between "lie" and "within".

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): I second it.

PRESIDENT: May I take it that the House accepts this.

The amendment was carried.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I beg to move that the Bill may be read again to-morrow.

The Nanjinad Vellala Bill.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Sir, I beg to move that the Nanjinad Vellala Bill may be taken up for consideration.

MR. P. S. MARUTANAYAKAM PILLAI (*Co-opted*): I rise to a point of order. സ്റ്റാൻറിങ്ങ് ആർഡർ നമ്പർ 70 വകുപ്പിൽനിന്നും ഒരു ബിൽ ആലോചനയ്ക്കെടുക്കുന്നതിനു ഏഴുദിവസം മുമ്പുറിക്കാർഡു കാംഎല്ലാം നോക്കിയിരിക്കണമെന്നുകാണുന്നു.

PRESIDENT: Are you going to talk in Malayalam?

MR. P. S. MARUTANAYAKAM PILLAI (*Co-opted*): Yes, Sir. എനിക്കു സെലക്ട്കമ്മിറ്റിറിപ്പോർട്ടും ഭേദഗതിസ്ക്രാപ്പറും 6-ാം-നു-യാണ് കിട്ടീട്ടുള്ളതു്. അതുകിട്ടീട്ടു അഞ്ചുദിവസമേആകുന്നുള്ളു. അതുകൂടാതെ സെലക്ട്കമ്മിറ്റി റിപ്പോർട്ടു തമിഴിൽ ഗസറ്റിൽ പരസ്യം ചെയ്തിട്ടു 10 ദിവസംവരെ ആകുന്നുണ്ടു്. സാധാരണയായി നായർ ബിൽ, ഈഴവബിൽ മുതലായവയെല്ലാം മൂന്നുമാസത്തിനു മുമ്പുതന്നെ സാവകാശംകൊടുത്തു കൌൺസിലിൽ ആലോചനയ്ക്കെടുത്തിട്ടുണ്ടു. എന്നെയിവിടെ കമ്പിമൂലം നിയമിച്ചതു് 6-ാം-നു-യാണു. എന്നെ കൌൺസിലിലേക്കു തിരിഞ്ഞെടുത്തതു് 12-ാം-നു-യാണു്. അതുകൊണ്ടു ഞാൻ വന്നപിറ്റേദിവസം തന്നെ അഫിഷ്യൽ ബിസിനസ് മുഴുവൻ തീർന്നുപോയി.

PRESIDENT: You say that the Select Committee report on the Bill has not been available to you before seven days. Is that your contention?

MR. P. S. MARUTANAYAKAM PILLAI (*Co-opted*): Yes. അതുകൂടാതെ ഈ സെലക്ട്കമ്മിറ്റി റിപ്പോർട്ടിൽ അറുപതോളം ഹജ്കാം ഉള്ളതായികാണുന്നു. അതു് ഏതെല്ലാം പ്രകാരത്തിലാണെന്നുഎനിക്കറിയുവാൻ ഇടവന്നിട്ടില്ല.

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PRESIDENT: To which rule do you refer?

MR. P. S. MARUTANAYAKAM PILLAI (*Co-opted*): Rule 37.

PRESIDENT: That is about the Select Committee report being not available to you. You were also saying that sufficient time had not elapsed after the publication of the translation.

MR. P. S. MARUTANAYAKAM PILLAI (*Co-opted*): That is also one reason.

MR. A. HOOGEWERF (*Nominated*): Does he understand English?

PRESIDENT: Yes, he does.

MR. P. S. MARUTANAYAKAM PILLAI (*Co-opted*): രണ്ടാമത്തേത് അഫിഷ്യൽ ബിസിനസ്സ് ആരംഭിച്ചിരിക്കുന്ന എന്നറിയിക്കുന്നതിനു മിനിഞ്ഞാന്ന് ഞാൻ ഒരു സ്വന്താവശ്യത്തിനു ഇവിടെവന്നപ്പോൾ ആണ്. അതുകൊണ്ടു എനിക്കുവേണ്ടതു പഠിച്ചുപറയുന്നതിനു സാവകാശം കിട്ടിയില്ല. ഈ എല്ലാകാരണത്താലും സെക്ഷൻ നാലാംവകുപ്പിൽ കാണുന്നതുകൊണ്ടു—

PRESIDENT: The only point which I think has force is the point about the Select Committee's Report not being available to you for seven days. When was it supplied, Mr. Parameswara Aiyar?

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): I do not think seven days would have elapsed since he got it. It was sent once to Padmanabhapuram and if he was there he would have got it before 7 days.

PRESIDENT: He says he did not get it.

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): Subsequently I sent another copy of the Report of the Select Committee on the Nanjinad Vellala Bill.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Does the Standing Order say that, if any one particular member does not get the Select Committee's Report, it should not be taken up.

PRESIDENT: Plural includes singular. It says 'members.' Generally the spirit of the Standing Order is that if all the members do not get it, the Bill cannot be taken up. I take it that this is the object of the rule.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): I believe the Secretary to the Legislative Council might have despatched it in sufficient time so as to reach the member.

PRESIDENT: The member says that he became a member of the Council on a particular date, that is, on the 20th Makaram. When was the Select Committee's Report sent to him first?

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): Earlier.

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[President.]

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): When was it despatched?

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): Earlier, that is before he became a member.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): How long is it since he became a member?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): He was sworn in on the 21st.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): Are we to take into consideration the particular date on which he was sworn?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Papers were sent to him immediately after he was informed, that is, before he was sworn in?

PRESIDENT: Yes, I will get the exact information as to when the papers were sent.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): When was he sworn in?

PRESIDENT: It was on the 21st Makaram.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): He was sworn in on Tuesday afternoon.

PRESIDENT: Today is the 1st Kumbham, that is, today is the 9th day.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Has he given his Trivandrum address?

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): I sent it on the 2nd February, that was on Monday last.

PRESIDENT: That was before he became a member.

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): I sent him a copy of the report of the Select Committee after he accepted the appointment.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): He becomes a member only after he is sworn in.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Yes, Sir. Though he is appointed as a member of the Council, he can take part in the debates and vote only after he is sworn in.

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): Subsequently another copy was sent which, he says, was received by him on the 7th February.

PRESIDENT: Well, here is a member saying that he received a copy of the report only on the 7th. I think we will have to accept his statement.

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MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): Was it not sent before and did he not get the copy?

PRESIDENT: Probably he was travelling about. That is not the point here. The only thing we are concerned with is whether it was despatched from here to his permanent address so that it may reach him sufficiently in advance. That is all we should consider now.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Sir, you have got the discretion to over-rule that.

PRESIDENT: Yes, I can over-rule that. But I would like to know the facts and circumstances of the case before I give my decision.

MR. T. KUMARA PILLAI (*Eraniel cum Vilavankod*): നിങ്ങൾ അയച്ചുറിക്കാർഡുകളെല്ലാം തിരിയെകിട്ടിയോ?

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): No.

PRESIDENT: What has become of the copy that was sent to him.

MR. S. PARAMESVARA AIYAR (*Secretary to Government*): I have not got it back.

PRESIDENT: Probably it is travelling about.

Mr. Marutanayakam Pillai has been made a member only very recently. I can understand Mr. Paramesvaran Pillai's argument that, if a member has been a member for a long time, he is expected to give his correct address and take such reasonable action as would ensure the receipt of the report by him in the ordinary course in proper time. Mr. Marutanayakam Pillai was sworn in on the 21st Makaram. The office sent him a copy of the report along with the order appointing him a member. He says he did not receive it till the 7th February. In these circumstances, it seems to me that I shall be using my discretion wrongly if I overrule his objection and allow the consideration of the Bill to be proceeded with. I think that his objection should weigh and the consideration of the Bill should be adjourned.

The next item is the Limitation Regulation Amendment Bill. It will take some time to get through it. It may, therefore, I think, be taken up tomorrow. We will now rise.

The House adjourned at 4-23 P. M. to meet again the next day at 11-30 A. M.

T. P. RAMASUBBA AIYAR,
Secretary to the Legislative Council.

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